

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SINGULARDTV GMBH,

Plaintiff,

v.

JOHN DOE,

Defendant.

Case No. 1:21-cv-6000

**DECLARATION OF BENJAMIN J.A. SAUTER IN SUPPORT OF
MOTION TO INTERVENE OR, IN THE ALTERNATIVE, SUBSTITUTE COUNSEL**

1. I, Benjamin J.A. Sauter, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge and belief:

2. I am an attorney duly admitted to practice law in the State of New York. I am a member of the bar of New York. I am currently a partner and attorney with Kobre & Kim LLP (“Kobre & Kim”), located at 800 Third Avenue, New York, New York 10022. Kobre & Kim is counsel for SingularDTV GmbH (“SingularDTV” or the “Company”) in this action.

3. I make this declaration in support of SingularDTV’s Motion to Intervene or, in the Alternative, to Substitute Counsel. The statements in this Declaration are true to the best of my own knowledge and belief.

4. Multiple public sources indicate that Gaze TV, a blockchain-based video platform, was founded by Zachary LeBeau, Kimberly Jackson, and Jack Cheng. These sources include: (i) a prior version of GazeTV’s website, a true and correct copy of which is attached as Exhibit 1; (ii) company information collected by Crunchbase, a true and correct copy of which is attached as

Exhibit 2; and (iii) media reporting by Hive, a true and correct copy of which is attached as Exhibit 3.

5. Based on public blockchain transaction data and information previously filed in this action, I understand that on May 6, 2021, Zachary LeBeau transferred 11,520,000 SNGJ tokens belonging to the Company to a digital wallet with the address 0x2fdd1a203082f8df9a93ce6a85d55610ca049388. On May 23, 2021, these SNGJ tokens were transferred to a different wallet address, 0x4bb475803d571041f2255CAA889eD5c312f4B663. From there 6,587,059.99 SNGJ tokens were sent directly to Gaze TV on July 13, 2021. The remaining SNGJ tokens were sent to another intermediary wallet address, 0x018da4aba1bf9ee9dde04c2e1d905293a841eed3directly, before also being sent to Gaze TV on July 13, 2021. Then, on August 2, 2021, Gaze TV sent 11,553,586 SNGJ back to the original SingularDTV wallet. As of the date of this Declaration, this information is visible and can be verified through the “Etherscan” public blockchain explorer: <https://etherscan.io/token/0x249f71f8d9da86c60f485e021b509a206667a079>.

6. A true and correct copy of New York’s Department of State summary page for Writers Block LLC is attached as Exhibit 4. The registered address for Writers Block LLC is 40 Fulton Street, 5th Floor, New York NY 10038—the same address at which SingularDTV, LLC, an entity owned and/or controlled by Jackson and LeBeau, was apparently registered in 2016. A true and correct copy of New York’s Department of State change of address form of SingularDTV LLC is attached as Exhibit 5. A true and correct copy of New York’s Department of State May 2020 Biennial Statement for Writers Block LLC is attached as Exhibit 6. A true and correct copy of an email conversation between Edward Greenwood and Patrik Allenspach, dated March 17, 2021 regarding Writers Block LLC is attached as Exhibit 7.

7. On Monday, November 8, 2021, I participated in a telephonic meet-and-confer discussion with Neil Postrygacz, Esq. and Jerald Tenenbaum, Esq. I understand that Messrs. Postrygacz and/or Tenenbaum represent the Defendants, Zachary LeBeau and Kimberly Jackson, though Mr. Tenenbaum also purports to represent SingularDTV in this action.

8. During the November 8 meet-and-confer discussion, I asked Mr. Tenenbaum whether he would consent to withdraw from his representation of SingularDTV in this action. Mr. Tenenbaum did not agree to withdraw. Since then, Mr. Tenenbaum has stated that he would be “open to discussing joint representation,” but the Company has no interest in such an arrangement.

9. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: November 29, 2021
New York, New York

/s/ Benjamin J. A. Sauter
Benjamin J. A. Sauter